

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

UNITED STATES OF AMERICA,

v.

CRIMINAL ACTION NO. 2:19-cr-00124

BRANDY YVETTE HODGE

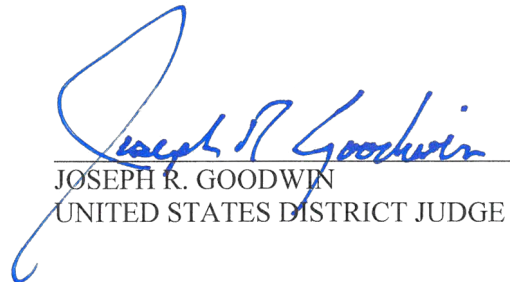
MEMORANDUM OPINION AND ORDER

Pending before the court is a pro se letter-form motion for compassionate release, [ECF No. 48], filed by Defendant Brandy Hodge. In the motion, Ms. Hodge requests to be placed on home confinement. I construe this request as one made pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). For me to reduce or modify Mr. Hodge's sentence under compassionate release, I must find that she has exhausted her administrative remedies or waited 30 days from petitioning the Warden at the facility in which she is housed, has demonstrated "extraordinary and compelling reasons," is not a danger to the safety of others, and find that her release is consistent with § 3553(a) factors. *See e.g., United States v. Howard*, No. 4:15-CR-00018-BR, 2020 WL 2200855, at \*2 (E.D.N.C. May 6, 2020); U.S.S.G. § 1B1.13 (2018). In this case, Ms. Hodge has not indicated that she has made any such required request to the Warden. Therefore, her motion, [ECF No. 48], is **DENIED without prejudice**. This ruling means that Ms. Hodge may petition the court again after making a request to the

Warden *and* either exhausting her administrative remedies through the Bureau of Prison's appeal process or waiting 30 days from the Warden's receipt of her request, whichever is earlier. *See* 18 U.S.C. § 3582(c)(1)(A).

The court **DIRECTS** the Clerk to send a copy of this Order to the defendant and counsel, the United States Attorney, the United States Probation Office, and the United States Marshal.

DATE: June 30, 2020



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE